

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

-against-

MICHAEL METTER, STEVEN
MOSKOWITZ, ANDREW TEPFER, also
known as "Avi," SEYMOUR EISENBERG,
also known as "Jimmy," GEORGE
SPERANZA, THOMAS CAVANAGH, and
FRANK NICOLLOIS,

Defendants.

Index No.: 1:10-cr-0600-DLI

**NOTICE OF MOTION TO DISMISS
BASED ON LACK OF VENUE**

PLEASE TAKE NOTICE, that upon the accompanying Affirmation of Maranda Fritz and the accompanying Memorandum of Law, Defendant Michael Metter will move this Court, before the Honorable Dora Irizarry, for an Order pursuant to Federal Rules of Criminal Procedure 12 (b), 7(c) and Rule 18 dismissing the Superseding Indictment, together with such other and further relief as the Court deems just and equitable; and

TAKE FURTHER NOTICE that any opposition to the motion shall be served via ECF on or before June 15, 2011.

DATED: New York, New York HINSHAW & CULBERTSON LLP
May 25, 2011

By: s/Maranda E. Fritz
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